

REMARKS

Claims 1-4 have been examined and have been rejected under 35 U.S.C. § 102(e).

I. Preliminary Matter

In the Office Action Summary, the Examiner did not indicate whether the present Office Action is final or non-final. Since, however, the claims were not substantively amended in the February 24, 2009 Amendment and new grounds of rejection are set forth, Applicant assumes that the present Office Action is non-final. Applicant also notes that the U.S. Patent and Trademark Office PAIR website indicates that the Office Action is non-final.

II. Rejections under 35 U.S.C. § 102(e) in view of U.S. Publication No. 2005/0102527 to Tatebayashi et al. (“Tatebayashi”)

The Examiner has rejected claims 1-4 under 35 U.S.C. § 102(e) as allegedly being anticipated by Tatebayashi.

A. Claim 1

Applicant submits that claim 1 is patentable over the cited reference. For example, claim 1 recites, “an inputting means for inputting peripheral device authentication data being the same as the authentication data stored in a storage means of the programmable logic controller.”

Tatebayashi discloses a digital content protection system. As shown in Figure 1, a memory card 200 and a memory card writer 300 of a computer 500 are provided. The Examiner appears to maintain that the memory card writer 300 discloses the claimed peripheral device.

As an initial matter, Applicant submits that claim 1 is directed to a peripheral device of a *programmable logic controller*, while the memory card writer 300 of Tatebayashi is for a general-purpose personal computer (i.e., computer 500). A general-purpose computer fails to disclose a programmable logic controller.

Furthermore, as set forth above, claim 1 now recites that the peripheral device is provided with an inputting means. Applicant submits that the memory card writer 300 (alleged peripheral device) of Tatebayashi fails to include the claimed *inputting means* for inputting peripheral device authentication data and where such data *is the same as the authentication data stored in a storage means of the programmable logic controller*. Rather, in Tatebayashi, authentication data is transferred between the memory card writer (alleged peripheral device) and the memory card 200 (alleged external storage of the peripheral device). In particular, when the memory card 200 is placed in the memory card writer 300, the communication unit 270 of the memory card 200 is connected to the communication unit 340 of the memory card writer 300 (para. [0084]). There is no disclosure of specifically inputting authentication data in an input unit of the memory card writer 300 and that such data is the same as authentication data stored in the computer 500 (alleged programmable logic controller).

At least based on the foregoing, Applicant submits that the basic card writer 300 of Tatebayashi fails to teach or suggest the claimed peripheral device having an inputting means for inputting peripheral device authentication data being the same as the authentication data stored in a storage means of the programmable logic controller. Accordingly, Applicant submits that claim 1 is patentable over the cited reference.

B. Claim 3

Since claim 3 recites features that are analogous to the features recited in claim 1, Applicant submits that claim 3 is patentable for at least analogous reasons as claim 1.

C. Claims 2 and 4

Applicant submits that claims 2 and 4 are patentable at least by virtue of their dependency.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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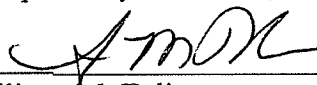
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